IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY
WRIT PETITION NO : 17164 of 2004

Between:

M/s. Diamond Leathers, Mandi Bazar, Warangal,
Warangal District, Rep. by its Proprietor, Smt. Sirajunnisa,
W/o. Late Abdul Basha,
aged 45 Years, R/o. 9-5-55, Mandi Bazar, Warangal,
Warangal District.

.....
PETITIONER

AND

1 The Assistant Provident Fund Commissioner,
& Authority Under Section 7-A of Employees Provident Fund
& Miscellaneous Provisions Act 1952, Sub-Regional Office,
Balasamudram, Hanamkonda, Warangal District.
2 The Recovery Officer, Employees Provident Fund,
APSFC., Building, Balasamudram, Hanamkonda,
Warangal District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the order dated 1-3-2004 issued in Proc.No.AP/SRO/WL/ENF/24146/WGL/7A ORDER/2003-04/4781 passed by the 1st respondent and also the consequential proceedings dated 12-8-2004 in Proc.No.AP/SRO./WGL/24146/RC.NO.25 of 2004 passed by the 2nd respondent herein as illegal, arbitrary and violation of principles of natural justice.

Counsel for the Petitioner: MR.A.PRABHAKAR RAO

Counsel for the Respondents: MR.R.N.REDDY

The Court, at the stage of admission, made the following :

ORDER:

Heard the learned counsel for the petitioner and the learned counsel for the respondents. Both the counsel expressed no objection for disposal of the writ petition at the stage of admission. Hence, the writ petition is disposed of.

2. By filing the present writ petition the petitioner seeks indulgence of this Court to pay the provident fund contributions, as assessed, and the interest thereof, by way of instalments. In view of the same, the petitioner is directed to deposit a sum of Rs.1,00,000/- on or before 15.10.2004, and the balance amount is permitted to be paid in fourteen (14) monthly instalments, payable on or before 15th of every succeeding month. If the petitioner fails to comply with the condition in paying the amount by way of instalments, it is open for the respondents to recover the said amount in lumpsum. However, this order shall not preclude the petitioner from filing the appeal. It is needless to say that any payments made will be subject to the result of the appeal, if any filed.

3. The writ petition is accordingly disposed of. No costs.

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A. GOPAL REDDY, J

September 23rd, 2004

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Note: Furnish copy by 27.09.2004

To

1 The Assistant Provident Fund Commissioner,

& Authority Under Section 7-A of Employees Provident Fund & Miscellaneous Provisions Act 1952, Sub-Regional Office, Balasamudram, Hanamkonda, Warangal District.

2 The Recovery Officer, Employees Provident Fund, APSFC., Building, Balasamudram, Hanamkonda, Warangal District.

3 2 CD copies.

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 17164 of 2004

23rd SEPTEMBER, 2004